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MARK DILLON, TERESA NOA, MELVIN PONCE,
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ALFREDDA WAIOLAMA, and JACQUELINE RIO

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen,) CIVIL NO. CV03-00385 SOM-LEK
) (Copyright)
Plaintiff,)
) DEFENDANTS MARK DILLON, TERESA
v.) NOA, MELVIN PONCE, SONIA
HAWAIIAN EXPRESS SERVICE,) PURDY, JUSTIN FUKUMOTO,
INC., a California) ALFREDDA WAIOLAMA, AND
corporation; et al.) JACQUELINE RIO'S JOINDER TO
) CONCISE STATEMENT OF THE CASE
Defendants.) TO BE READ DURING VOIR DIRE
) (PER MAY 2, 2005 AMENDED
) SCHEDULING ORDER, PARAGRAPH
) 18) AND SUGGESTED TOPICS FOR
) VOIR DIRE, FILED BY THE POST
) CONFIRMATION TRUST FOR FLEMING
) COMPANIES, INC., ON JANUARY
) 10, 2006
)
)
) TRIAL: January 24, 2006
) JUDGE: Hon. Susan Oki
) Mollway
)

**DEFENDANTS MARK DILLON, TERESA NOA, MELVIN PONCE, SONIA PURDY,
JUSTIN FUKUMOTO, ALFREDDA WAIOLAMA, AND JACQUELINE RIO'S
JOINDER TO CONCISE STATEMENT OF THE CASE TO BE READ DURING VOIR
DIRE (PER MAY 2, 2005 AMENDED SCHEDULING ORDER, PARAGRAPH 18) AND
SUGGESTED TOPICS FOR VOIR DIRE, FILED BY THE POST CONFIRMATION
TRUST FOR FLEMING COMPANIES, INC., ON JANUARY 10, 2006**

Defendants Mark Dillon, Teresa Noa, Melvin Ponce, Sonia Purdy, Justin Fukumoto, Alfredda Waiolama, and Jacqueline Rio, ("Employees") by and through their attorneys, Lyle S. Hosoda & Associates, LLC, hereby file their joinder to Concise Statement of the Case to Be Read During Voir Dire (Per May 2, 2005 Amended Scheduling Order, Paragraph 18) and Suggested Topics for Voir Dire, filed by the Post Confirmation Trust for Fleming Companies, Inc., on January 10, 2006

Dated: Honolulu, Hawaii, January 10, 2006.

/s/ Lyle S. Hosoda
LYLE S. HOSODA
RAINIA P.B. MEAD
Attorneys for Defendants
MARK DILLON, TERESA NOA, MELVIN
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JACQUELINE RIO